

utes); Section 5, Chapter 336, Acts of the 52nd Legislature, Regular Session, 1951 (Article 1118s, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Strong:

S. J. R. No. 12, Proposing an amendment to Section 18, Article VIII, Constitution of the State of Texas, to remove the requirement that the county commissioners court be the tax valuation equalization board for the county.

To the Committee on Constitutional Amendments.

#### Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

H. C. R. No. 11—Commending the Reagan Raiders, 1968 Texas 4-A State Football Champions and Co-Champions of the United States, for the sportsmanship and gentlemanly conduct they have displayed in pursuing the goal of football champions.

H. C. R. No. 13—Memorial resolution for Frank C. Russ.

#### Senate Resolution 101

Senator Cole offered the following resolution:

Whereas, The youthful offender has become a problem of the highest magnitude in Texas as well as in the nation; and

Whereas, The Texas Youth Council is directly concerned with the task of assisting this segment of our youth; and

Whereas, The critical nature of the problem deserves our fullest attention and properly warrants a thorough assessment of the effectiveness of the policies, procedures, programs and other pertinent aspects of the operation of the Texas Youth Council and the various local rehabilitation programs; and

Whereas, The entire problem stems from and is inextricably bound up in those significant causative factors which give rise to the need for rehabilitative assistance; and

Whereas, The Senate Youth Affairs Committee is charged with the re-

sponsibility of investigating and analyzing these problems for the purpose of developing, for the youth of our State, a responsive and meaningful rehabilitation program; and

Whereas, The complexity of the problem is such that competent professional and technical assistance is essential to the proper performance of the task and that an advisory committee could provide this assistance; now, therefore, be it

Resolved, That the Lieutenant Governor shall appoint six private citizens who have demonstrated an interest in and a particular knowledge of youth affairs; and be it further

Resolved, That, from the contingent expense funds of the Senate, the members of the Citizens Advisory Committee, the Senate Youth Affairs Committee and staff be reimbursed for the actual expenses incurred in carrying out the purposes of this Resolution.

The resolution was read and was referred to the Committee on Youth Affairs.

#### Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 13, Expressing appreciation and congratulations to Coach McDonald and Coach Davis and the Eagles of St. Thomas High School, Houston.

#### Welcome and Congratulatory Resolutions

S. R. No. 102—By Senators Watson and Aikin: Extending welcome and privileges of the floor for the day to Pat Bell of Texarkana.

#### Adjournment

On motion of Senator Aikin the Senate at 11:15 o'clock a.m. adjourned until 11:00 o'clock a.m. on Monday, February 10, 1969.

#### FIFTEENTH DAY

(Monday, February 10, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Schwartz

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 6, 1969, was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Mauzy.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 14, Memorializing Congress to condemn Anti-Jew drive of Communists in East Germany.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 103

Senator Aikin offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Judge

and Mrs. Cedric Townsend of Paris, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and the privileges of the floor for today.

The resolution was read and was adopted.

Senator Aikin, by unanimous consent, presented the guests to the Members of the Senate.

#### Reports of Standing Committees

Senator Cole submitted the following report:

Austin, Texas,  
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your committee on Youth Affairs, to which was referred S. R. No. 101, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRISS COLE, Chairman

Senator Patman submitted the following report:

Austin, Texas,  
February 10, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred S. B. No. 90, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PATMAN, Chairman

#### Senate Resolution 101 Ordered not Printed

On motion of Senator Cole and by unanimous consent S. R. No. 101 was ordered not printed.

#### Senate Resolution 101 On Second Reading

The President laid before the Senate the following resolution:

S. R. No. 101, Providing for the

appointment by the Lieutenant Governor of six citizens who have demonstrated an interest in and a particular knowledge of youth affairs to study the operation of the Texas Youth Council.

The resolution was read.

On motion of Senator Cole, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committees indicated:

By Senators McKool, Harrington, Brooks, Bridges, Bernal, Mauzy, Schwartz, Kennard, Berry, Wilson, Hightower, Cole and Bates:

S. B. No. 131, A bill to be entitled "An Act providing for a system of quadrennial voter registration; containing penal provisions; amending Texas Election Code as follows: amending Section 43a (Article 5.11a, Vernon's Texas Election Code); adding Section 43c; amending Subdivisions 1 and 2, Section 44a, as amended (Article 5.12a); amending Subsection (1), Section 45a (Article 5.13a); amending Section 46a (Article 5.14a); amending Subsection (1), Section 51a (Article 5.19a); amending Subsections (1) and (2), Section 51b (Article 5.19b); and amending Section 42a (Article 5.10a); amending Article 198, Penal Code of Texas, 1925; making the Act effective only upon the adoption of a constitutional amendment; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Hall:

S. B. No. 132, A bill to be entitled "An Act relating to regulation and control of obscenity and obscene materials; amending Article 527, Penal Code of Texas, 1925, as amended; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hall:

S. B. No. 133, A bill to be entitled "An Act transferring control and management of East Texas State University from the Board of Regents, State Senior Colleges to a new body

to be called the Board of Regents of East Texas State University; providing for the creation of a Governing Board to be appointed by the Governor and confirmed by the Senate with residential limitations as to board members and their length of term of office; providing for the filling of vacancies occurring on the Governing Board and removal for certain causes; providing for the qualifying of appointees to the board, and its organization; providing for the work and activities to be pursued in said college, and subject to actions of the Governing Board; providing all powers, duties, rights, obligations, and functions of the Board of Regents, State Senior Colleges as these relate to East Texas State University shall be invested in and/or performed by the Board of Regents of East Texas State University on the enactment of this Bill into law; providing a repealing clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Harrington:

S. B. No. 134, A bill to be entitled "An Act relating to reciprocal hunting and fishing privileges between Texas residents and residents of other states; amending Chapter 524, Acts of the 60th Legislature, Regular Session, 1967 (Article 978f-8, Vernon's Texas Penal Code); repealing Chapter 481, Acts of the 59th Legislature, Regular Session, 1965 (Article 978f-7, Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Interstate Cooperation.

By Senators Hightower and Grover:

S. B. No. 135, A bill to be entitled "An Act relating to the possession of certain firearms and prohibited weapons by a person charged with, indicted for, or convicted of a felony; amending Chapter 599, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 489c, Vernon's Texas Penal Code); providing a penalty; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Hightower and Grover:

S. B. No. 136, A bill to be entitled "An Act relating to assaults and assault and battery by persons using or exhibiting firearms and additional penalties for persons who use or ex-

hibit a firearm during the commission of certain offenses; providing for imprisonment without probation or parole in those instances; increasing the maximum sentences for murder without malice and assault to commit murder with malice to life imprisonment; increasing the minimum sentence for murder with malice to 20 years; amending Articles 48, 1147, 1151, 1160, 1162, 1189, 1257, 1408, 1391, 1397, and 1402, Penal Code of Texas, 1925, amending Section 3-a, Chapter 274, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1257b, Vernon's Texas Penal Code); amending Chapter 12, General Laws, Acts of the 42nd Legislature, Regular Session 1931, as amended (Article 1177a, Vernon's Texas Penal Code); Sections 3 and 3a, and Subsections (a) and (b) of Section 15, Article 42.12, Code of Criminal Procedure, 1965, as amended; and Chapter 2, Title 15, Penal Code of Texas, 1925; by adding a new Article 1151A; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator McKool:

S. B. No. 137, A bill to be entitled "An Act relating to discrimination by certain cities in deducting membership dues from employee payroll and in implementing policy concerning membership dues and administrative fees; adding Subsection (e) to Section 1, Chapter 161, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-3a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Cole:

S. B. No. 138, A bill to be entitled "An Act amending Chapter 82, Acts of the 57th Legislature, Regular Session, 1961 (Article 7621b, Vernon's Texas Civil Statutes), as amended, relating to permits for the disposal of wastes by injection well; transferring certain functions under the Act to the Texas Water Quality Board; revising and rearranging Articles 7621b, Vernon's Texas Civil Statutes, to improve the structure of the Act; validating permits and orders issued by the Texas Water Development Board and requiring transfer of certain records; providing severability; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Brooks:

S. B. No. 139, A bill to be entitled "An Act relating to justice of the peace fees; amending Article 3935, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Moore:

S. B. No. 140, A bill to be entitled "An Act relating to issuance of time warrants by certain independent school districts; and declaring an emergency."

To the Committee on Education.

By Senators McKool, Harrington, Brooks, Bridges, Mauzy, Kennard, Bates, Cole, Schwartz, Bernal, Berry, Hightower, and Wilson:

S. J. R. No. 13, Proposing an amendment to Section 2, Article VI, Constitution of the State of Texas, to repeal the requirement that voters register annually.

To the Committee on Constitutional Amendments.

#### Senate Concurrent Resolution 15

Senator Connally offered the following resolution:

S. C. R. No. 15, Providing for the recognition of Natural Resources Appreciation Week in Texas.

Whereas, The State of Texas has been endowed by the Creator with a bountiful supply of those natural resources necessary for the physical sustenance of its citizenry and with an abundance and variety of natural beauty which contributes to the esthetic, cultural, and spiritual recreation of all mankind; and

Whereas, The conservation and maintenance of our soils, waters, forests, rangelands, wildlife, minerals, and clean air are necessary and vital to the health, happiness and continued economic prosperity of all Texans; and,

Whereas, Texans of perception realize that in our growing society, change is inevitable and that orderly change is desirable in present and future utilization of our natural resources; and

Whereas, Wise use and full appreciation of the cultural and economic values of our natural resources is enhanced and encouraged as our

youth and adult citizens acquire awareness and knowledge of these resources and their many uses; now, therefore, be it

Resolved, That annually, beginning in the year 1970, the full week in January which includes Arbor Day (third Friday) be designated and declared as "Natural Resources Appreciation Week in Texas;" and, be it further

Resolved, That all governmental, civic, industrial, educational, religious, and social organizations and individuals interested in and concerned with the natural resources of Texas be encouraged to acknowledge and express their appreciation and concern for the continued conservation of our natural wealth and beauty through appropriate programs, projects, announcements, and other public activities; and, be it further

Resolved, That the Texas Education Agency and those other State Agencies responsible for conservation of Texas' natural resources develop and make available to school districts of Texas materials appropriate for planning programs in observance of this week.

The resolution was read and was referred to the Committee on Parks and Wildlife.

#### Senate Resolution 104

Senator Harrington offered the following resolution:

Whereas, The State of Texas wishes to express its sincere appreciation to Mr. John E. Gray for his distinguished and outstanding service and contributions to his community, his State, and his country; and

Whereas, The Senate of the State of Texas wishes to recognize the exceptional and lasting achievements of Mr. John E. Gray during his tenure as Chairman of the Coordinating Board of the Texas College and University System; and

Whereas, Mr. Gray's accomplishments were inspired and nurtured by a life-long dedication to excellence in education; and

Whereas, Mr. Gray prepared himself well for his future in education by graduating from South Park High School in Beaumont as valedictorian, attending Lamar College for two years, and attending the University of Texas where he received both

Bachelor and Master of Arts degrees graduating with honors; and

Whereas, John Gray's association with education has not only been as an excellent student, but also as a distinguished teacher at South Park High School and at Lamar College and as a tireless administrator and President of Lamar College for ten years where he led the successful fight to have the school converted into a four-year state-supported institution of higher learning presently known as Lamar State College of Technology; and

Whereas, After returning from service in the United States Navy during World War II, Mr. Gray was named President of Lamar State College of Technology and later was awarded the honorary Doctor of Laws degree from Centenary College for his contributions in the field of education; and

Whereas, John Gray's exceptional abilities were recognized by his appointment in 1961 to the Texas Commission on Higher Education, his appointment by Governor Connally to the Committee on Education beyond the High School, and his appointment in 1965 as Chairman of the Texas College and University System; and

Whereas, John Gray has unselfishly given his time and his leadership to various civic and charitable activities including serving as past president of the Beaumont Young Men's Business League, the Beaumont Chamber of Commerce and the Beaumont Rotary Club, and serving as President of Beaumont's United Appeals Campaign in 1961; and

Whereas, John Gray has been an active member of St. Paul's Methodist Church, including service as a member of the Board of Stewards; and

Whereas, John Gray's outstanding civic, community, and educational achievements are matched only by his success in business, being elected President of the First National Bank of Beaumont in 1958 and presently serving as President of the First Security National Bank of Beaumont; and

Whereas, John Gray has been active in the Texas Bankers Association and has served as a Director of the Houston Branch of the Federal Reserve Bank; and

Whereas, John Gray's Chairmanship of the Coordinating Board will serve as a model of distinction and

dedication for his successors; now, therefore, be it.

Resolved, That the Senate of the State of Texas expresses its most sincere appreciation and gratitude to Mr. John E. Gray for a job well done.

The resolution was read and was adopted.

#### Senate Resolution 105

Senator Hightower offered the following resolution:

Whereas, It has been the custom to have the photographs of the Governor, Lieutenant Governor, Senators, and Secretary of the Senate prepared in a block picture and placed in the Senate Chamber at the end of each legislative session; and

Whereas, It is the desire of the Senate to honor the children of the Members of the Senate and the Lieutenant Governor, as mascots; now, therefore, be it

Resolved, That all sons of the Members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected mascots of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

Resolved, That all daughters of the Members of the Senate and the Lieutenant Governor who have not reached their fifth birthday are hereby elected sweethearts of the Senate and their pictures be included in the block picture of the Senate; and be it further

Resolved, That this Resolution shall not include the children previously named mascots or sweethearts in the Senate and whose pictures appear on existing block picture panels of the Senate; and be it further

Resolved, By the Senate of Texas, That the Contingent Expense Committee arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Mascots, and Sweethearts, and that said photographs be arranged in block panel and placed in the Senate Chamber, the expenses for which are to be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

#### House Resolution on First Reading

The following resolution received

from the House, was read the first time and referred to the Committee indicated:

H. C. R. No. 14, To Committee on State Affairs.

#### Senate Resolution 106

Senator Hall offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Judge Fred "Red" Harris, former Senator and Member of the House; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate, and extended privileges of the floor for the day.

The resolution was read and was adopted.

Senator Hall, by unanimous consent, presented the distinguished guest to the Members of the Senate.

#### Communication from Legislative Audit Committee

The following communication received from the Legislative Audit Committee was read and was referred to the Committee on Nominations:

Austin, Texas,

February 6, 1969.

To the Senate of the Sixty-first Legislature, Regular Session:

We ask the advice, consent and confirmation of the Senate with respect to the appointment by this Committee of George W. McNiel of Austin, Travis County, to be State Auditor of Texas for the term expiring February 15, 1971.

Such appointment on this date is hereby certified under the provisions of Senate Bill No. 27 as passed by the Forty-eighth Legislature.

Respectfully submitted,

LEGISLATIVE AUDIT COMMITTEE  
Attest:

Ben Barnes,  
Lieutenant Governor  
Grady Hazlewood

Chairman of the Senate Committee  
on Finance

William T. Moore,  
Chairman of the Senate Committee  
on State Affairs  
Gus Mutscher,  
Speaker of the House of Repre-  
sentatives  
W. S. Heatly,  
Chairman of the House Committee  
on Appropriations  
Ben Atwell,  
Chairman of the House Committee  
on Revenue and Taxation

### Adjournment

On motion of Senator Aikin the  
Senate at 11:23 o'clock a.m. adjourned  
until 11:00 o'clock a.m. tomorrow.

### APPENDIX

Sent to Governor

February 10, 1969

S. C. R. No. 13

### SIXTEENTH DAY

(Tuesday, February 11, 1969)

The Senate met at 11:00 o'clock  
a.m., pursuant to adjournment, and  
was called to order by the President.

The roll was called and the follow-  
ing Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chap-  
lain, offered the invocation.

On motion of Senator Aikin, and  
by unanimous consent, the reading  
of the Journal of the proceedings of  
yesterday was dispensed with and  
the Journal was approved.

### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
February 11, 1969.

Hon. Ben Barnes, President of the  
Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following:

S. C. R. No. 14, Congratulating  
Miss Patti Yezak.

H. C. R. 19, Recognizing National  
Negro History Week.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Presentation of Guest

Senator Hightower, by unanimous  
consent, presented as a guest of the  
Senate today former Senator Mar-  
shall Formby and requested that he  
be granted privileges of the floor for  
today.

### Co-Author of Senate Bill 84

On motion of Senator Herring and  
by unanimous consent he will be  
shown as Co-author of S. B. No. 84.

### Notice of Executive Session

Senator Word gave notice that he  
would move for an Executive Session  
at 11:30 o'clock a.m. on tomorrow.

### Reports of Standing Committees

Senator Moore submitted the fol-  
lowing report:

Austin, Texas,  
February 10, 1969.

Hon. Ben Barnes, President of the  
Senate.

Sir: We, your Committee on State  
Affairs, to which was referred S. B.  
No. 87, have had the same under  
consideration, and I am instructed  
to report it back to the Senate with  
the recommendation that it do pass  
and be printed.

MOORE, Chairman

Senator Brooks submitted the fol-  
lowing report:

Austin, Texas,  
February 10, 1969.

Hon. Ben Barnes, President of the  
Senate.

Sir: We, your Committee on State  
Departments and Institutions to  
which was referred S. B. No. 128,